

Jan 03 2023

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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Attorneys for Plaintiff
KELVIN MORGAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KELVIN MORGAN;)	CASE NO. 5:22-cv-00082 NC
)	
Plaintiff,)	STIPULATION AND ORDER
)	DISMISSING ENTIRE ACTION
v.)	WITH PREJUDICE
)	
CITY OF SAN JOSE; SAN JOSE)	
POLICE DEPARTMENT; and DOES 1-)	
25, inclusive,)	
)	
Defendants)	
)	

The parties hereto, by and through their counsel of record, hereby stipulate as follows:

WHEREAS, the parties have settled the present action; and

WHEREAS, in light of such settlement and in the interests of justice, the present action should be dismissed in its entirety with prejudice, with each side to bear their own costs and attorneys' fees;

The present action shall be dismissed in its entirety with prejudice, with each side to bear their own costs and attorneys' fees.

1 Dated: January 3, 2023

LAW OFFICES OF PAUL B. JUSTI

2 By /s/ Paul B. Justi

3 Paul B. Justi

4 Attorneys for plaintiff KELVIN MORGAN

5 Dated: January 3, 2023

CITY OF SAN JOSE CITY ATTORNEY'S
OFFICE

6 By /s/ Brian Kreger

7 Brian Kreger

8 Attorneys for defendants

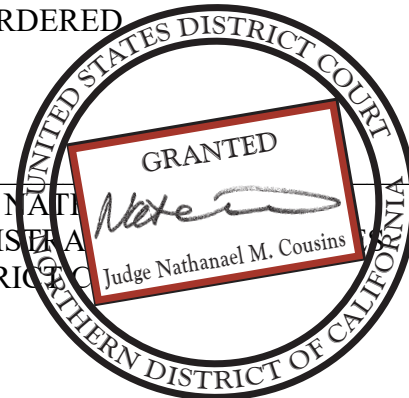
9 **ORDER**

10 Based on the parties' stipulation and in the interests of justice, the present action
11 is hereby dismissed in its entirety with prejudice, with each side to bear their own costs and
12 attorneys' fees.
13

14 GOOD CAUSE APPEARING, IT IS SO ORDERED

15
16 Dated: January 4, 2023

17 HON. NATHANAEAL M. COUSINS
18 MAGISTRATE JUDGE
19 DISTRICT COURT
20 SOUTHERN DISTRICT OF CALIFORNIA



21 **CERTIFICATE OF AUTHORITY**

22 I, Paul B. Justi, hereby certify that I am authorized to e-sign this Stipulation and
23 [Proposed] Order on behalf of Brian Kreger, counsel of record for defendants.
24

25 I declare under penalty of perjury under the laws of the United States that the
26 foregoing is true and correct.

27 Executed on January 3, 2023 at Walnut Creek, CA.

28 /s/ Paul B. Justi

CERTIFICATE OF SERVICE

I, Paul B. Justi, declare as follows:

I am counsel of record for plaintiff Kelvin Morgan. I certify that I have effectuated electronic service of this **PLAINTIFF KELVIN MORGAN'S STATUS REPORT RE: SETTLEMENT** through the ECM-ECF filing on the following person(s):

Brian S. Kerger
Office of the City Attorney
200 East Santa Clara Street, 16th Floor
San Jose, CA 95113-1905

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on January 3, 2023 at Walnut Creek, CA.

/s/ Paul B. Justi